

09/24/2009 08:55 FAX 4082793244

McMANIS FAULKNER

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

11 THE PEOPLE OF THE STATE OF
 12 CALIFORNIA,

13 Plaintiff,

14 CITY OF OAKLAND, a municipal
 corporation,

15 Plaintiff and Real Party in Interest,

16 vs.

17 WILLIAM ABEND, et al.,

18 Defendants.

19 AND RELATED CROSS-ACTION.

20
 21 WILLIAM M. ABEND AND MARCIA F.
 ABEND,

22 Petitioners And Plaintiffs,

23 vs.

24 CITY OF OAKLAND, et al.,

25 Respondents And Defendants.
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No. C 07-02142 EMC

(Alameda County Superior Court Case Nos.
 RG-06-289665 and RG-06-296229)

APPLICATION AND [PROPOSED]
 ORDER REGARDING SUBSTITUTION
 OF ATTORNEY

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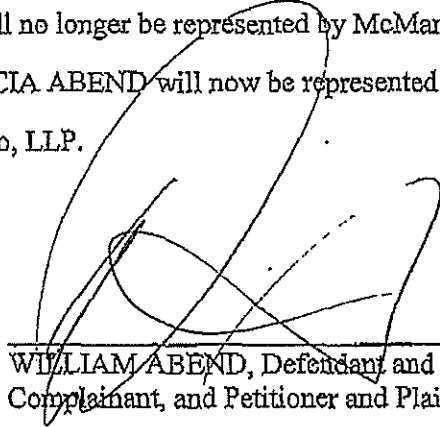
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1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD, defendant and cross-
 2 complainant, WILLIAM ABEND, and petitioners and plaintiffs, WILLIAM AND MARCIA
 3 ABEND, hereby submit the following application to the Court for an Order allowing them to
 4 proceed with the following substitution of attorney:

5 WILLIAM AND MARCIA ABEND will no longer be represented by McManis Faulkner
 6 or any of its attorneys. WILLIAM AND MARCIA ABEND will now be represented by Colleen
 7 Duffy-Smith of Morgan, Duffy-Smith & Tidalgo, LLP.

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 9 I consent to this substitution.

10 DATED: 30 SEP 09


 WILLIAM ABEND, Defendant and Cross-
 Complainant, and Petitioner and Plaintiff

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 12
 13 I consent to this substitution.

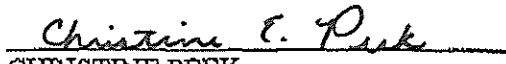
14 DATED: 30 Sep 09


 MARCIA ABEND, Petitioner and Plaintiff

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 16
 17 I consent to this substitution.

18 McMANIS FAULKNER

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 20 DATED: 10/5/09


 CHRISTINE PEEK

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 22 Former attorneys for Defendant and Cross-
 23 Complainant, WILLIAM ABEND, and
 24 Petitioners and Plaintiffs, WILLIAM AND
 25 MARCIA ABEND
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1 I consent to this substitution.

MORGAN DUFFY-SMITH & TIDALGO, LLP

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DATED: 9/25/09


COLLEEN DUFFY-SMITH

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New attorneys for Defendant and Cross-Complainant, WILLIAM ABEND, and Petitioners and Plaintiffs, WILLIAM AND MARCIA ABEND

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IT IS SO ORDERED.

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DATED: ~~September~~, 2009 10/6/09

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